

**REMARKS**

Claims 1-3, 5-7 and 13-24 are pending in this application. By this Amendment, claims 4 and 8-12 are canceled and claims 13-24 are added. No new matter is added.

The courtesies extended to Applicant's representative by Examiner Garcia in the December 15 telephone interview are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicant's record of the interview.

**I. Allowable Subject Matter**

Applicant appreciates the indication in the Office Action that claims 4 and 8-12 contain allowable subject matter.

**II. Claim Objection**

The Office Action objects to claims 4 and 8-12 as depending upon rejected base claims. By this Amendment, claims 4 and 8-12 are canceled. Withdrawal of the objection is respectfully requested.

**III. Claim Rejection**

The Office Action rejects claims 1-3 and 5-7 under 35 U.S.C. §101. By this Amendment, 1-3 and 5-7 are amended to incorporate the allowable subject matter of claims 4 and 8-12. As agreed to in the telephone interview, claims 1-3 and 5-7 are allowable. Reconsideration and withdrawal of the rejection are requested.

**IV. New Claims**

New claims 13-24 depend from claims 1-3 and 5-7. New claims 19-24 recite the step of manufacturing a semiconductor device based on the leakage current determined in claims 1-3 and 5-7. As agreed to in the telephone interview, new claims 19-24 are allowable for at least the same reasons as claim 1-3 and 5-7. New claims 13-18 recite a device manufactured

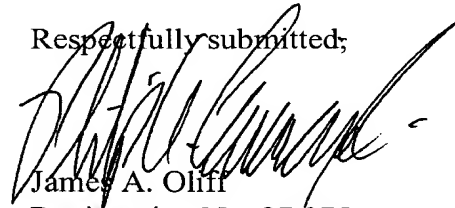
based on the leakage current determined in claims 1-3 and 5-7. New claims 13-18 are allowable for at least the same reasons as claim 1-3 and 5-7.

**V. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-3, 5-7 and 13-24 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted;



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Date: December 27, 2004

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